

## **Egremont Bylaw Review Committee**

### **Minutes September 8 and 14, 2020**

In attendance:

Mary McGurn, Chair

Richard Allen

Chet Delaney

Steve Goodman

Richard Slutzky

Eileen Vining

Steve Cohen, Town Moderator, guest

Meeting called to order at 5:06pm

### **Approval of Minutes of August 18, 2020**

Approved minutes of 8/19/20 as corrected.

### **Review of Chet Delaney's recommended language and comments by Steve Cohen, Town Moderator**

#### **1.6 Conduct of Meeting**

Steve Cohen discussed his normal operating procedure for managing town meetings, indicating that he adhered to *The Town Meeting Time Handbook* for guidance but found Robert's Rules of Order counterproductive in operating a Town Meeting. Discussion ensued and Section 1.6.1 was approved as written below.

1.6.1 The Town Meeting shall be conducted in accordance with *Town Meeting Time: A Handbook of Parliamentary Law*, published by the Massachusetts Moderators Association.

The Committee continued to discuss the following proposed language for Section 1.6.2:

1.6.2 All materials to be handed out at the Town Meeting with respect to an article on the warrant must meet the following criteria:

1. Materials shall be available to the public at the Selectboard's office and on the Town website at least seven days prior to the Town Meeting, unless approved for distribution at a later date by the Moderator.
2. At the time of submission, materials must be signed with name and address by an Egremont taxpayer or registered voter.
3. Submitted to the Town clerk

The Committee agreed to revisit this section at its next meeting. Steve Goodman agreed to circulate proposed modified language to the committee prior to the next meeting.

The meeting was disrupted by Zoom disconnection around 6:00pm and will be resumed at a mutually convenient time.

**Meeting resumed again on September 14th at 5:03pm .**

The Committee reviewed an amendment to 1.6.2 proposed by Steve Goodman.  
That amendment would read:

1. Materials must be submitted to the Town Clerk no later than the last date on which the clerk's office is open (according to publicly posted hours) prior to the meeting, but not later than the date specified in #3 below.
2. At the time of submission, materials must be signed with name and address by an Egremont taxpayer or registered voter.
3. The Town Clerk will make the materials available to the public.

Discussion of 1.6.2 was tabled for further discussion. Discussion ensued on how to draft this section that would enable the Town residents to read any materials in a timely manner submitted prior to the meeting while not squelching the ability of people to present documents relevant to the topics in the warrant. Committee members are invited to submit recommended drafts and will circulate proposals to the rest of the Committee. Anyone on the Committee is free to attempt to synthesize the language based upon the discussion that ensued and circulate to the Committee for discussion at the next Committee meeting.

Sections 1.6.3 and Sections 1.6.4 previously approved. For the record, they are :

*1.6.3 Articles in the Warrant shall be acted upon in the order in which they stand, unless at said meeting a majority vote directs otherwise.*

*1.6.4 The Moderator or any voter can request any motion at Town Meetings to be in writing.*

1.6.5 A secret ballot shall be required at at Town Meeting for:

1. Any vote to raise and appropriate money by issuing bonds or notes of the Town except as provided in Section 17 of Chapter 44 of the General Laws and amendments thereto, and,
2. Any vote concerning an increase in the limit of the indebtedness of the Town.

(This revision of 1.6.5 was approved)

*1.6.6 Any article will be voted on by secret ballot if requested by 25% of voters present and voting. (Previously approved)*

1.6.7 All Town of Egremont property tax payers have the same right to speak at any Town meeting as those who are registered to vote in the Town, subject to the right of the Moderator to maintain order at Town Meetings. (Revisions approved as modified)

## **Bylaw 2 Elections**

2.1 Annual town elections shall be held the second Tuesday of May. (Previously proposed language approved today)

2.2. There shall be three members of the Selectboard, with each member serving for a three year term. Only one Selectboard member shall be elected each year, except in the case of the vacancy. (Decision on proposed language deferred until Richard Allen reviews applicable State law)

2.3 Vacancy

(Richard Allen to review state laws regarding vacancy and authority to reappoint)

Discussion ensued whether the Bylaw committee needed to address election or appointment of assessors or other offices. Committee agreed not to pursue.

## **Bylaw 3: Boards and Committees**

3.1. The Annual Town Meeting warrant shall contain an article allowing the Town Meeting to direct the Selectboard to form and appoint such new committees as the voters desire.

Discussion ensued and language above approved. The same language had previously been listed elsewhere in the Bylaws.

3.2 All Town boards and committees shall at their first meeting, after election or appointment, elect a chairperson and clerk, and give notice of such elections to the Town Clerk.

Approved as amended.

3.3.1 Each holder of an elected or appointed position shall serve until their successor is elected or appointed, or until their death, resignation or removal.

Approved as amended.

3.3.2 to be discussed at the next committee meeting as well as a review of Bylaw section 4 and recommended modifications proposed by Richard Allen.

Agreed that next meeting and future meetings will be scheduled for 4-6pm. Next meeting is scheduled for September 30th.

Meeting adjourned at 7:03pm.

Respectfully submitted, Richard Slutzky, Secretary/Treasurer